

POWER OF ATTORNEY FROM ASSIGNEE

Reg. No. 42-493
Cytos Biotechnology AG, a corporation of Switzerland, having a principal place of business at Wagistrasse 25, Zurich-Schlieren, SWITZERLAND CH-8952, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) 09/20/05 (2) 09/20/05 (3) 09/20/05 (4) 09/20/05 (5) 09/20/05 (6) 09/20/05 and (7) 09/20/05 of an invention known as **Packaging of Immunostimulatory Substances into Virus-Like Particles: Method of Preparation and Use** that is disclosed and claimed in a patent application of the same title by the inventors (1) Martin F. BACHMANN, (2) Andreas CORNELIUS, (3) Vania MANOLOVA, (4) Patrik MAURER, (5) Edwin MEIJERINK, (6) Karl G. PROBA and (7) Katrin SCHWARZ (said application filed on March 25, 2004, at the International Bureau of the World Intellectual Property Organization as PCT International Application No. PCT/EP2004/003165).

For the purpose of PAIR, the Customer Number is **26111**.

The Assignee hereby appoints the patent attorneys and agents associated with **CUSTOMER NUMBER 26111** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith. The Assignee hereby grants said patent attorneys and agents associated with Customer Number 26111 the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

Customer Number 26111
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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Direct phone calls to 202-371-2600.

FOR: Cytos Biotechnology AG

SIGNATURE: *M. Bachmann*

BY: Dr. Martin F. Bachmann

TITLE: CSO

DATE: 20.9.2005

FOR: Cytos Biotechnology AG

SIGNATURE: *W. Renner*

BY: Dr. Wolfgang A. Renner

TITLE: CEO

DATE: 20.9.2005



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STATEMENT UNDER 37 CFR 3.73(b)

1700.0630000/BJD/WBC

Applicant/Patent Owner: Bachmann et al.

Application No./Patent No.: PCT/EP2004/003165 Filed/Issue Date: Int'l Filing Date: March 25, 2004

Entitled: Packaging of Immunostimulatory Substances into Virus-Like Particles: Method of Preparation and Use

Cytos Biotechnology AG, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dr. Martin F. Bachmann; Dr. Wolfgang A. Renner 20.9.2005
Signature Date
Printed or Typed Name Telephone Number
CSO ; CEO
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Appl. No.: *To be assigned*
Docket No. 1700.0630000/BJD/WBC

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: (1) **Martin F. BACHMANN**, (2) **Andreas CORNELIUS**, (3) **Vania MANOLOVA**, (4) **Patrik MAURER**, (5) **Edwin MEIJERINK**, (6) **Karl G. PROBA** and (7) **Katrin SCHWARZ**, hereby sell and assign to **Cytos Biotechnology AG**, a corporation formed under the laws of Switzerland, whose mailing address is Wagistrasse 25, CH-8952 Zürich-Schlieren, SWITZERLAND (hereafter referred to as the Assignee), his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages, for the United States of America (as defined in 35 U.S.C. § 100) and throughout the world,

(a) in the invention known as **Packaging of Immunostimulatory Substances into Virus-Like Particles: Method of Preparation and Use** for which application(s) for patent in the United States of America was filed herewith (also known as United States Application No. to be assigned, which is the U.S. national phase of PCT/EP2004/003165, international filing date March 25, 2004), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including non-provisional applications, continuing (continuation, divisional, or continuation-in-part) applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue or

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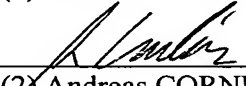

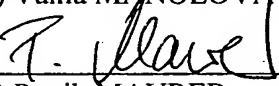

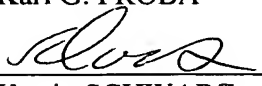
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reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represent that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventors hereby grant Robert Greene Sterne, Esq., Registration No. 28,912; Edward J. Kessler, Esq., Registration No. 25,688; Jorge A. Goldstein, Esq., Registration No. 29,021; David K.S. Cornwell, Esq., Registration No. 31,944; Robert W. Esmond, Esq., Registration No. 32,893; Tracy-Gene G. Durkin, Esq., Registration No. 32,831; Michele A. Cimbala, Esq., Registration No. 33,851; Michael B. Ray, Esq., Registration No. 33,997; Robert E. Sokohl, Esq., Registration No. 36,013; Eric K. Steffe, Esq., Registration No. 36,688; Michael Q. Lee, Esq., Registration No. 35,239; Steven R. Ludwig, Esq., Registration No. 36,203; John M. Covert, Esq., Registration No. 38,759; Linda E. Alcorn, Esq., Registration No. 39,588; Donald J. Featherstone, Esq., Registration No. 33,876; Robert C. Millonig, Esq., Registration No. 34,395; Michael V. Messenger, Esq., Registration No. 37,575; Judith U. Kim, Esq., Registration No. 40,679; Timothy J. Shea, Jr., Esq., Registration No. 41,306; Patrick E. Garrett, Esq., Registration No. 39,987; Jeffrey Helvey, Registration No. 44,757; Heidi L. Kraus, Registration No. 43,730; Eldora Ellison, Registration No. 39,967; Thomas C. Fiala, Registration No. 43,610; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite his/her name.

Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (1) Martin F. BACHMANN
Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (2) Andreas CORNELIUS
Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (3) Vania MANOLOVA
Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (4) Patrik MAURER
Date: _____	Signature of Inventor: _____ (5) Edwin MEIJERINK
Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (6) Karl G. PROBA
Date: <u>20.09.2005</u>	Signature of Inventor: <u></u> (7) Katrin SCHWARZ

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(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

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IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite his/her name.

Date: _____ Signature of Inventor: _____
(1) Martin F. BACHMANN

Date: _____ Signature of Inventor: _____
(2) Andreas CORNELIUS

Date: _____ Signature of Inventor: _____
(3) Vania MANOLOVA

Date: _____ Signature of Inventor: _____
(4) Patrik MAURER

Date: 20-09-2005 Signature of Inventor: 
(5) Edwin MEIJERINK

Date: _____ Signature of Inventor: _____
(6) Karl G. PROBA

Date: _____ Signature of Inventor: _____
(7) Katrin SCHWARZ